



Dated: August 24, 2016
The following is SO ORDERED:


David S. Kennedy
UNITED STATES CHIEF BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

In re:

**DONAL MARTIN McDONAGH and
MICHELE RAWLS McDONAGH**

Case No. 12-27642 DSK

Debtor.

Chapter 13

**CONSENT ORDER CONDITIONALLY DENYING MOTION
FOR RELIEF FROM THE AUTOMATIC STAY**

This cause came before the Court on the Motion for Relief From the Automatic Stay by WestVue NPL Trust ("WestVue") (Doc. 121), and it appearing to the Court, that by consent of the parties, the Motion may be conditionally denied subject to the terms of this Order.

IT IS THEREFORE ORDERED that by consent the Motion for Relief From the Automatic Stay by WestVue is conditionally denied based on the requirement that the Debtor resume his ongoing direct home mortgage payments to WestVue with the August 31, 2016 installment and that in addition, the Debtor make an additional direct payment of \$4,000.00 per

month to be applied to post-petition arrearage that has accrued under the Debtor's home mortgage loan.

IT IS FURTHER ORDERED that in the event the Debtor fails to make his regular mortgage and home mortgage arrearage payment within 10 days of the due date, then WestVue may provide a notice of default by mailing it to the Debtor at 2416 Sanders Ridge, Germantown, TN 38138, with a copy of the notice to be mailed and emailed to the Debtor's attorney, J.D. Gentry, at 5100 Poplar Avenue, Suite 2008, Memphis, TN 38137, and jdgentry@GAMattorneys.com and to the Chapter 13 Trustee, George W. Stevenson, at 5350 Poplar Avenue, Suite 500, Memphis, TN 38119, and ch13gws@gmail.com; if the payment default is not cured by the Debtor within 15 days of the date the notice of default is mailed and emailed, then WestVue may proceed with the entry of an order granting WestVue relief from the automatic stay provisions of 11 U.S.C. § 362 to allow WestVue to proceed with foreclosure of the real property located at 2416 Sanders Ridge, Germantown, TN 38138 pursuant to state law.

IT IS FURTHER ORDERED that WestVue may review the payment arrangements with the Debtor six months after the date of this order, and if voluntary arrangements are not reached for a further extension terms, then WestVue may reset this Motion for Relief From the Automatic Stay by contacting the clerk of the Court.

APPROVED BY:

/s/ Douglas M. Alrutz
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Chapter 13 Trustee

cc: Debtor
Debtor's Attorney
Chapter 13 Trustee
Matrix of Creditors and Interested Parties

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